

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ASTRAZENECA AB, AKTIEBOLAGET
HÄSSLE, ASTRAZENECA LP, KBI INC.,
and KBI-E INC.,

Plaintiffs and
Counterclaim-Defendants,
v.

HANMI USA, INC., HANMI
PHARMACEUTICAL CO., LTD., HANMI
FINE CHEMICAL CO., LTD, and HANMI
HOLDINGS CO., LTD.,

Defendants and
Counterclaim-Plaintiffs.

Civil Action No. 3:11-CV-00760-JAP-TJB

Judge Joel A. Pisano
Magistrate Judge Tonianne J. Bongiovanni

**DECLARATION OF PATRICK L. CHEN IN SUPPORT OF PLAINTIFFS' BRIEF IN IN
OPPOSITION TO HANMI'S MOTION *IN LIMINE* NO. 3 (TO PRECLUDE
ASTRAZENECA FROM ATTEMPTING TO ESTABLISH A FILING DATE
FOR THE '192 PATENT EARLIER THAN APRIL 11, 1997)**

I, Patrick L. Chen, hereby declare as follows,

1. I am an associate at the law firm of Fitzpatrick, Cella, Harper & Scinto, 1290 Avenue of the Americas, New York, New York 10104-3800, counsel for Plaintiffs AstraZeneca AB, Aktiebolaget Hässle, AstraZeneca LP, KBI Inc., and KBI-E Inc. in connection with the present action.

2. I make this Declaration on my personal knowledge in support of Plaintiffs' Brief in Opposition to Hanmi's Motion *in limine* No. 3 (To Preclude AstraZeneca from Attempting to Establish a Filing Date for the '192 Patent Earlier than April 11, 1997).

3. Attached as Exhibit 1 is a true and correct copy of U.S. Patent No. 5,977,192.

4. Attached as Exhibit 2 is a true and correct copy of U.S. Patent Application No. 08/376,512.

5. Attached as Exhibit 3 is a true and correct copy of U.S. Patent Application No. 08/256,174.

6. Attached as Exhibit 4 is a true and correct copy of Swedish Patent Application No. 9301830-7.

7. Attached as Exhibit 5 is a true and correct copy of the February 19, 2013 Expert Report of Jerry L. Atwood, Ph.D.

8. Attached as Exhibit 6 is a true and correct copy of the March 25, 2013 Rebuttal Report of Stephen G. Davies, D.Phil. on Validity.

9. Attached as Exhibit 7 is a true and correct copy of the March 24, 2013 Expert Rebuttal Report of René H. Levy, Ph.D.

10. Attached as Exhibit 8 is a true and correct copy of the March 25, 2013 Rebuttal Report of David A. Johnson on Validity.

11. Attached as Exhibit 9 is a true and correct copy of U.S. Patent No. 5,714,504.

12. Attached as Exhibit 10 is a true and correct copy of Lindberg (1986) J. Med. Chem. 29(8):1327-29.

13. Attached as Exhibit 11 is a true and correct copy of the April 18, 2013 deposition transcript of Dr. David Allan Johnson.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 6, 2013



Patrick L. Chen